

REMARKS

Applicant respectfully requests reconsideration of the present application in view of

Claims 12 and 32 are currently being amended.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-36 are now pending in this application.

In the March 15, 2006 office action, the Examiner objected to claim 12 due to a typographical error. Applicant has amended claim 12 to correct the spelling of "criteria."

The Examiner also rejected claims 32-36 under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. Applicant has amended claim 32 to recite in its preamble, "A computer program product, embodied in a computer readable medium," thereby rendering the Examiner's rejection moot.

Claims 1, 2, 7, 10, 13, 14, 20, 22, 27, and 31 were rejected by the Examiner under 35 U.S.C. §102(b) as being anticipated by U.S. 6,408,316 (Himmel et al.), hereinafter referred to as Himmel '316. Claims 3, 15, and 28 were rejected under 35 U.S.C. §103(a) as being unpatentable over Himmel '316. Claims 4-6, 11, 16, 18, 19, 29, and 30 were rejected under 35 U.S.C. §103(a) as being unpatentable over Himmel '316 in view of U.S. 6,810,395 (Bharat). Claims 8 and 21 were rejected under 35 U.S.C. §103(a) as being unpatentable over Himmel '316, U.S. 5,963,964 (Nielsen), and further in view of "EXIF.org" (Hawkins). Claim 9 was rejected under 35 U.S.C. §103(a) as being unpatentable over Himmel '316 in view of "HTML for the World Wide Web with XHTML and CSS: Visual Quickstart Guide, 5<sup>th</sup> Edition" (Castro). Claims 12 and 17 were rejected under 35 U.S.C. §103(a) as being unpatentable over Himmel '316, U.S. 6,041,360 (Himmel et al.) hereinafter referred to as

Himmel '360, and further in view of US 2002/0156832 (Duri et al.)<sup>1</sup> Claims 23-26 were rejected under 35 U.S.C. §103(a) as being unpatentable over Himmel '316 in view of Duri et al. Claims 32 and 33 were rejected under 35 U.S.C. §103(a) as being unpatentable over Himmel '316 in view of Himmel '360. Claims 34-36 were rejected under 35 U.S.C. §103(a) as being unpatentable over Himmel '316, Himmel '360, and further in view of Bharat. Applicant respectfully traverses these rejections for the reasons discussed below.

Himmel '316 has been alleged by the Examiner to teach a method for creating a dynamic Internet bookmark comprising storing search criteria and storing a resource attribute, where the search criteria and resource attribute are associated with a bookmarked Internet resource in a bookmark entry. Applicant respectfully disagrees with this position. Himmel '316 addresses the issue of adding bookmarks one at a time by creating a bookmark set as discussed in the Abstract and column 2, lines 8-51. The text description described by Himmel '316 simply refers to a name or tag given to a bookmark, while the cached copies pointer is merely a pointer to certain information. (*See, e.g.,* column 4, lines 40-62). Neither the text description nor the cached copies pointer reads on the claimed search criteria, where the claimed search criteria refers to actual query terms that can be used to conduct a search in an Internet search engine, for example.

In addition, Himmel '316 teaches using search criteria to find relevant Web pages, but it is only the pages themselves that are stored in a bookmark set. Therefore, none of the search criteria described by Himmel '316 is stored in a bookmark set, let alone a bookmark entry. Instead, with Himmel's system, a user is merely able to perform a search, receive potentially relevant Web pages and select which one(s) of those received Web pages he or she wants to include in a bookmark set. (*See, e.g.,* column 5, line 53-column 6, line 49). By contrast, claims 1, 13, and 27 of the present application require that the actual search criteria is stored within a bookmark entry.

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<sup>1</sup> Sections 16, 18, and 19 of the March 15, 2006 office action refer to one of the Himmel et al. references as being U.S. Patent #6,810,395. Applicant believes the Examiner has made typographical errors in these sections as U.S. Patent #6,810,395 is to Bharat. Applicant assumes that the Examiner meant to refer to U.S. 6,041,360 (Himmel et al.)

As to the naming/keyword/abstract aspect of Himmel '316, this feature may be somewhat likened to a resource attribute of the present application, but is not analogous to the claimed search criteria as argued by the Examiner. Search criteria refers to terms or other information that may be used in a search engine search, instead of merely an identifying term. Moreover, although Himmel '316 may teach the ability to name a particular bookmark set via the selection of text, it does not teach storing this selection of text as search criteria. Therefore, Himmel '316 fails to teach all the limitations required by claims 1, 2, 7, 10, 13, 14, 20, 22, 27, and 31 of the present application, and furthermore, it would not have been obvious for one of ordinary skill in the art at the time the present invention was made to have combined the teaching of Himmel '316 with the known ability to customize the name of a bookmark.

The Examiner properly recognized that Himmel '316 does not teach the use of search criteria, where the search criteria is comprised of search terms from a search history file containing terms used in an Internet search engine, nor a creation or modification date, nor a dynamic bookmark that is a hypermedia link on an Internet resource. However, the Examiner alleged that Bharat cures the deficiencies of Himmel '316. Applicant respectfully disagrees with this position.

Bharat teaches a system and method amounting to a glorified search log, implemented in its own graphical user interface (GUI) pop-up window or in a separate Web page. (See Abstract, Figures 2(a) and 2(b), column 4, lines 45-46). The invention of Bharat merely addresses the issue of "tentative information" storage and retrieval as noted in column 1, lines 39-52. By contrast, various embodiments of the present invention are concerned with the long-term storage of bookmarks, where because of the long-term storage nature, bookmark links may become outdated, changed, inoperative, etc. (See paragraphs [0005]-[0006] of the specification). More particularly, Bharat applies to "search services" as seen in column 2, lines 26-33, and merely teaches saving a query as seen in column 2, lines 56-67. As such, the invention of Bharat cannot be integrated into known bookmarking features, unlike claims 4-6, 11, 16, 18, 19, 29, and 30 of the present application, wherein search criteria is able to be stored within/as a bookmark entry. See also column 4, lines 4-39 of Bharat, where a query is stored as a query and other information, not as an actual bookmark entry. Therefore, the

combination of Bharat and Himmel '316 would result in an inoperable system because Bharat does not store any information, let alone search criteria, as an actual bookmark entry.

As to the Examiner's arguments regarding Nielsen, Hawkins, and Castro, these references apply only to the EXIF format and file naming limitations of claims 8, 9, and 21 of the present application. Therefore, none of these prior art references cure the deficiencies of Himmel '316, as already discussed above.

The Examiner also alleged that Himmel '360 teaches updating bookmarks by comparing a title and URL of a bookmark entry and those of a visited site, citing column 17, lines 40-67 for this position. Applicant disagrees with the Examiner's characterization of Himmel '360. While Himmel '360 does teach "updating" bookmarks, it is only in a limited fashion. Specifically, the only situation in which a bookmark can be updated according to Himmel '360, is when there are redirect instructions on a previously used/abandoned Web site. (See column 16, line 48-column 18, line 52). Therefore, no search criteria is ever stored or used in a search for the purpose of updating a bookmark, nor is there any comparison between a resource attribute "from the search results from the performed search," as required by claims 12 and 17 of the present application.

In response to the Examiner's assertions that Duri teaches a dynamic bookmarking feature as required by claims 12 and 17 of the present application, Applicant respectfully disagrees. Duri refers to a feature called "dynamic" bookmarking, but it is an entirely different feature in operation from that of claims 12 and 17. Duri teaches that bookmarks may be stored in a device, such as a mobile PDA, where the bookmarks are stored with various attributed and criteria. When the mobile PDA enters a certain service domain, the stored bookmarks with their attributes are used to look for other bookmarks present in the service domain, where those other bookmarks are associated with information such as advertising or the location of a desired product, initially bookmarked in the mobile PDA. (See paragraphs [0024], [0036]-[0045], and [0046]-[0052]). However, these attributes and criteria are not used in a search engine search for relevant Internet resources as recited in claim 17, for example. Therefore, neither Himmel '360 nor Duri cures the deficiencies of Himmel '316.

Because none of the references cited by the Examiner either separately or in combination with each other, teach creating and updating a dynamic Internet bookmark, where search criteria and resource attributes are stored within a bookmark entry, Applicant submits that each of independent claims 1, 13, 27, and 32 are patentable over this prior art. Furthermore, because dependent claims 2-12, 14-26, 28-31, and 33-36 are each directly or indirectly dependent upon independent claims 1, 13, 27, and 32, Applicant submits that each of these claims are allowable for at least the same reasons as discussed above.

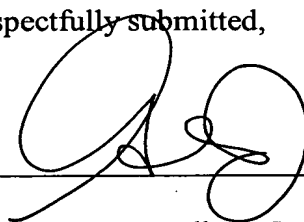
Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1450. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1450. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1450.

Respectfully submitted,

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